

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.) CRIMINAL CASE NO. CCB-19-322
BILAL MOHAMMAD SIDDIQUI,)
Defendant.)
_____)

Friday, October 18, 2019
Courtroom 7D
Baltimore, Maryland

BEFORE: THE HONORABLE CATHERINE C. BLAKE, JUDGE

INITIAL APPEARANCE - ARRAIGNMENT

For the Plaintiff:

Zachary Myers, Esquire
Assistant United States Attorney

For the Defendant:

Andrew Szekely, Esquire
Assistant Federal Public Defender

Present:

Helen Domico, U.S. Probation Officer

Reported by:

Douglas J. Zweizig, RDR, CRR, FCRR
Federal Official Court Reporter
101 W. Lombard Street, 4th Floor
Baltimore, Maryland 21201

P R O C E E D I N G S

(2:17 p.m.)

THE COURT: Good afternoon, everyone. Be seated, please.

Do you want to call the case.

MR. MYERS: Thank you, Your Honor.

I'm here to call the matter of United States of America versus Bilal Mohammad Siddiqui. This is Criminal Number CCB-19-322.

I'm Assistant U.S. Attorney Zachary Myers, here on behalf of Jeff Izant, for the United States for this guilty plea hearing.

THE COURT: All right. Thank you.

MR. SZEKELY: Good afternoon, Your Honor. Andrew Szekely on behalf of Mr. Siddiqui. Mr. Siddiqui is here to my immediate right.

And we're prepared to proceed with -- I guess it would be an initial appearance, arraignment, and arraignment on this information.

THE COURT: Okay. Yes. It's a three-count information. And if Mr. Siddiqui is ready to proceed.

THE CLERK: Please raise your right hand.

BILAL MOHAMMAD SIDDIQUI, SWORN.

THE CLERK: Please state your full name for the record.

1 **THE DEFENDANT:** Bilal Mohammad Siddiqui.

2 **THE CLERK:** Mr. Siddiqui, what is your age?

3 **THE DEFENDANT:** 22.

4 **THE CLERK:** And the year, just the year of your birth?

5 **THE DEFENDANT:** '97, 1997.

6 **THE CLERK:** Mr. Siddiqui, you have been charged in
7 Counts 1, 2, and 3 of the information. How do you wish to
8 plead as to Counts 1, 2, and 3 of the information?

9 **THE DEFENDANT:** Guilty.

10 **THE CLERK:** So that's guilty as to Counts 1, 2, and 3
11 of the information; is that correct?

12 **THE DEFENDANT:** Correct.

13 **THE CLERK:** Thank you.

14 **THE COURT:** Thank you. You can be seated.

15 All right. So, Mr. Siddiqui, what I need to do is
16 just to ask you a series of questions to make sure that you
17 know what you're doing.

18 At any point if you don't understand any of my
19 questions or you need a chance to talk to your attorney, just
20 let me know; all right?

21 **THE DEFENDANT:** Okay.

22 **THE COURT:** All right, sir. And if you could maybe
23 pull the mic a little closer and just speak right up into the
24 microphone.

25 Do you understand you are under oath, so if you

1 knowingly give a false answer to any of my questions, you could
2 be prosecuted for false declaration or perjury?

3 **THE DEFENDANT:** I do.

4 **THE COURT:** All right, sir. How far did you go in
5 school?

6 **THE DEFENDANT:** Attained my Associate's.

7 **THE COURT:** Okay. I take it you were able to read and
8 understand the charges against you and the plea letter in this
9 case?

10 **THE DEFENDANT:** Correct.

11 **THE COURT:** Good.

12 In the past 24 hours, have you taken any drugs or
13 alcohol or medication of any kind?

14 **THE DEFENDANT:** No.

15 **THE COURT:** Any recent treatment for mental health or
16 substance abuse problems?

17 **THE DEFENDANT:** No.

18 **THE COURT:** Are you having any difficulty
19 understanding what's going on here today?

20 **THE DEFENDANT:** No.

21 **THE COURT:** Okay. Now, you're pleading guilty to
22 three charges.

23 Do you understand there are several things the
24 Government would have to prove beyond a reasonable doubt if
25 this case went to trial?

1 On Counts 1 and 2, which is sexual exploitation of
2 children, they would have to prove that on or pretty close to
3 the dates that are charged in this information, here in
4 Maryland, that you did use or persuade or coerce the victim
5 identified in the criminal information to take part in sexually
6 explicit conduct for the purpose of producing a visual
7 depiction, a picture of that conduct.

8 They'd have to prove that the victim identified in the
9 information was under the age of 18 and they'd have to prove
10 that the visual depiction, the picture, was produced or
11 transmitted using materials that have been mailed, shipped,
12 transported in or affecting interstate commerce by any means,
13 including computer. So, again, produced by that kind of
14 material or that this depiction had actually been transported
15 or transmitted using any means or facility of interstate or
16 foreign commerce or in or affecting interstate or foreign
17 commerce.

18 Do you understand that's what the Government would
19 have to prove as far as Counts 1 and 2 if they went to trial?

20 **THE DEFENDANT:** I do.

21 **THE COURT:** All right. And for Count 3, referred to
22 as cyberstalking, do you understand the Government would have
23 to prove beyond a reasonable doubt that during or pretty close
24 to approximately the time period that's charged in the
25 information, and at least, again, here partly in Maryland, that

1 you did intend to kill or injure or harass or intimidate
2 another person; that you used the mail or any interactive
3 computer service or electronic communication service of
4 interstate commerce or any other facility of interstate or
5 foreign commerce to engage in a course of conduct and that this
6 course of conduct, which you intentionally engaged in, caused
7 or attempted to cause or was reasonably expected to cause
8 substantial emotional distress to that person or to an
9 immediate family member.

10 Do you understand that's what the Government would
11 have to prove on Count 3?

12 **THE DEFENDANT:** I do.

13 **THE COURT:** All right. In terms of the possible
14 penalties for this offense, do you understand that Count 1 and
15 Count 2 each have a minimum sentence of 15 years in prison and
16 a maximum of 30 years in prison? That would be followed by
17 supervised release. That's a minimum of five years and a
18 maximum of life.

19 There could be a fine of as much as \$250,000. And
20 then for each count, there is also both a \$100 special
21 assessment and, depending on your financial circumstances, a
22 \$5,000 special assessment for each of Counts 1 and 2.

23 For Count 3, the maximum is five years in prison,
24 three years of supervised release, a fine of \$250,000, and the
25 \$100 special assessment.

1 You also might be ordered to forfeit property and/or
2 pay restitution.

3 Do you understand those penalties, Mr. Siddiqui?

4 **THE DEFENDANT:** I do.

5 **THE COURT:** All right. I mentioned supervised
6 release. That's a term of years that's imposed to follow
7 whatever prison term you might get.

8 While you're on supervised release, you have to obey
9 the rules and regulations of supervised release, not commit any
10 new offense.

11 If you violate any condition of supervised release,
12 you can get put back in prison; and depending on the term, you
13 could get put back in prison for a substantial part of that
14 term of supervised release.

15 The point is you wouldn't get any credit for the time
16 you were out. It's a separate system of possible penalties if
17 you violate supervised release.

18 Do you understand that?

19 **THE DEFENDANT:** I do.

20 **THE COURT:** Do you understand that you're subject to
21 what are called the sentencing guidelines that have been issued
22 by the United States Sentencing Commission? They're advisory,
23 but I have to calculate them and take them into account,
24 deciding on a reasonable sentence in your case.

25 And the advisory guideline range depends on a variety

1 of things: Your role in the offense; the number of victims;
2 age of victims; your criminal record, if you have any; various
3 kinds of things go into deciding what the advisory guideline
4 range is going to be.

5 Do you understand that?

6 **THE DEFENDANT:** I do.

7 **THE COURT:** Okay. Do you understand that under the
8 law -- and this may be changed by your plea agreement -- but
9 under the law, if you think I make a mistake deciding on the
10 sentence, then you have the right to appeal the sentence?
11 Ordinarily, that is also true for the Government under the law,
12 if the Government thinks I make a mistake deciding on the
13 sentence, then the Government has the right to appeal.

14 Do you understand that?

15 **THE DEFENDANT:** I do.

16 **THE COURT:** All right. When you plead guilty, you're
17 giving up some very important rights. I'm sure you've been
18 over that with your counsel, but I need to go through some of
19 those with you and make sure you're giving them up voluntarily.

20 So, first of all, do you understand you have a right
21 to plead not guilty to these charges?

22 **THE DEFENDANT:** I do.

23 **THE COURT:** Do you understand you have a right to a
24 trial by a jury?

25 **THE DEFENDANT:** I do.

1 **THE COURT:** Do you understand if you were willing to
2 give up your right to a trial by a jury, and if the Government
3 also was willing to give up its right to a trial by a jury, you
4 could be tried just by a United States District Judge, you
5 could have a judge trial without a jury?

6 Do you understand that?

7 **THE DEFENDANT:** I do.

8 **THE COURT:** Do you understand if you did want to go to
9 trial, you would continue to have the right to be represented
10 by counsel? Just as you are now, he would stick with you.

11 And at any point, or so long as you cannot afford a
12 lawyer, one is appointed to represent you at the Government's
13 expense.

14 Do you understand that?

15 **THE DEFENDANT:** I do.

16 **THE COURT:** Do you understand that if you went to
17 trial, you would be presumed innocent, the burden would be on
18 the Government to prove your guilt beyond a reasonable doubt?

19 **THE DEFENDANT:** I do.

20 **THE COURT:** And do you understand if you went to
21 trial, you or your attorney would have the right to
22 cross-examine; in other words, he could ask questions of any
23 witness who testified against you?

24 And if you went to trial, you would have the right to
25 make people come in and testify on your behalf. If someone had

1 some helpful evidence to give for you, you could have a summons
2 or a subpoena issued to make them come in and testify.

3 Do you understand that?

4 **THE DEFENDANT:** I do.

5 **THE COURT:** Do you understand that if you went to
6 trial, you personally would have the right to take the witness
7 stand and testify if you wanted to; but if you did not want to
8 testify, for whatever reason, no one could force you or make
9 you testify?

10 **THE DEFENDANT:** I do.

11 **THE COURT:** Do you also understand if you decided not
12 to testify, for whatever reason, no one, including the jury,
13 could hold that against you in any way, they could not decide
14 anything bad about your case or specifically that you were
15 guilty just because you decided not to testify?

16 **THE DEFENDANT:** I do.

17 **THE COURT:** All right. And do you understand if you
18 did choose to be tried by a jury, in order for you to be
19 convicted, the jury's verdict would have to be unanimous, so
20 there would be 12 jurors, they would all have to agree that you
21 had been proved guilty beyond a reasonable doubt?

22 **THE DEFENDANT:** I do.

23 **THE COURT:** And do you understand that when you plead
24 guilty, you're giving up each and every one of those rights,
25 there will be no further trial of any kind, and you will be

1 sentenced based on your guilty pleas?

2 **THE DEFENDANT:** I do.

3 **THE COURT:** All right, sir. And, finally, do you
4 understand that when you plead guilty, you're giving up your
5 right to try to suppress any statements you might have made,
6 keep something out of evidence that might have been taken from
7 you, pretrial motions; in other words, any defense that you
8 might have to these charges, you give it up when you plead
9 guilty?

10 Do you understand that?

11 **THE DEFENDANT:** I do.

12 **THE COURT:** All right. I have a plea agreement letter
13 here in front of me.

14 Actually, before I go into the letter, there is one
15 additional right I should mention to you.

16 Because the penalty that may be imposed for these
17 offenses is greater than a year in prison, they are what's
18 considered felony offenses, and you would have the right to
19 insist that the charges be presented to a grand jury and a
20 grand jury find probable cause to return an indictment against
21 you on these charges, and instead we are proceeding by way of
22 an information that has just been signed and filed by the
23 U.S. Attorney.

24 So my question is whether you're willing to give up
25 your right to an indictment and go ahead and proceed with the

1 information that's been filed?

2 **THE DEFENDANT:** I do.

3 **THE COURT:** Okay. And did you sign this waiver of
4 indictment form, sir?

5 **THE DEFENDANT:** I did.

6 **THE COURT:** All right. So do you have a copy of the
7 plea agreement letter, sir?

8 **THE DEFENDANT:** Yes, I do.

9 **THE COURT:** Okay. It appears to have your signature
10 at the end of the letter, we'll start with that, on Page 15.

11 Did you, in fact, read and sign this agreement,
12 Mr. Siddiqui?

13 **THE DEFENDANT:** Yes, I did.

14 **THE COURT:** Directly above your signature, it says, "I
15 have read this agreement, including the sealed supplement, and
16 carefully reviewed every part of it with my attorney. I
17 understand it and I voluntarily agree to it. Specifically, I
18 have reviewed the factual and advisory guideline stipulation
19 with my attorney, and I do not wish to change any part of it.
20 I am completely satisfied with the representation of my
21 attorney."

22 Is that all correct, Mr. Siddiqui?

23 **THE DEFENDANT:** Yes, it is.

24 **THE COURT:** All right, sir. And specifically
25 regarding the representation that Mr. Szekely has been

1 providing to you, is there anything you think he should have
2 done that he hasn't done or anything else you need to ask him
3 about right now?

4 **THE DEFENDANT:** No, I do not.

5 **THE COURT:** Okay. Going back to the beginning of the
6 letter, just to summarize it with you, it says that you're
7 waiving and you're giving up your right to an indictment.
8 You're pleading guilty to Counts 1 and 2 of the information,
9 sexual exploitation of children, as well as Count 3, which is
10 cyberstalking.

11 Paragraph 2 tells you what the Government would have
12 to prove if the case went to trial.

13 Paragraph 3 tells you about the penalties, which we've
14 talked about.

15 Paragraph 4 tells you about the rights you're giving
16 up by pleading guilty, which may include certain valuable
17 civil rights. And if you were not a U.S. citizen, you might be
18 subject to deportation or other loss of immigration status.

19 Paragraph 5 says you understand I have to determine an
20 advisory guideline range and take it into account in connection
21 with sentencing.

22 Paragraph 6 refers to a statement of facts. So I have
23 Attachment A here, stipulation of facts, which is five pages,
24 plus a multiple-page attachment.

25 Did you read and sign the statement of facts as well

1 as the messages that are attached to the statement of facts,
2 Mr. Siddiqui?

3 **THE DEFENDANT:** Yes, I did.

4 **THE COURT:** Okay. I'm only going to roughly summarize
5 it with you.

6 But you understand it says you're agreeing that the
7 Government could prove the facts that are in this statement of
8 facts beyond a reasonable doubt. They could have proved more
9 than this, but they at least could have proved that at the
10 relevant time, you were an undergraduate in college at UMBC, a
11 resident of Maryland; that between April of 2017 and August of
12 2018, you did use Internet-based communication services,
13 including LiveMe, Snapchat, Kik, and FaceTime, to coerce at
14 least six minor females, ages 8 to 14, to create and send you
15 sexually explicit images and videos of themselves.

16 And you also attempted to sexually extort one of those
17 victims, a sixth-grader. When that victim refused to produce
18 additional sexually explicit videos of herself, you sent images
19 and videos that she had previously shared with you, you sent
20 them to her sixth-grade classmates and friends. That is an
21 overall summary.

22 The next sections deal with your interactions with
23 Jane Doe 1, which is Count 1; and Jane Doe 2, which is Count 2.

24 Various communications that you had with Jane Doe 1 on
25 September 28th, 2017, resulting in your persuading her to send

1 you sexually explicit photographs of herself by way of these
2 computer devices.

3 Eventually there was a search warrant for your home on
4 September 5th of 2018. You were advised of your Miranda rights
5 and voluntarily agreed to be interviewed and admitted, just in
6 general, to the conduct with Jane Doe 1. You say that you
7 believed she was 13.

8 The Government in the meantime did a forensic review
9 of the iPhone that you had used to communicate with Jane Doe 1
10 and discovered evidence of sexual exploitation of Jane Doe 2, a
11 9-year-old female living in North Carolina. And you admitted
12 to creating videos of Jane Doe 2 engaging in sexually explicit
13 conduct as well were saved on your phone. As I indicated, you
14 said you believed she was 11 or 12.

15 You were asked about similar conduct and estimated
16 that you had caused more than 10, but fewer than 50, minor
17 females to do sexual things on video and derived sexual
18 gratification from that.

19 The next statement of facts has to do with sexual
20 exploitation and cyberstalking of Jane Doe 4. She is the
21 subject of Count 3, and the messages that are attached relates
22 to behavior on or about October 4th of 2017, essentially
23 coercing her to send sexually explicit images of herself to
24 you, subsequently threatening to send these to friends and
25 others at her school if she did not continue to produce these

1 kind of images, and eventually you did, in any event, send nude
2 photographs of Jane Doe 4 to school.

3 Then there is relevant conduct. These are not
4 specific counts, but there is evidence you're agreeing to that
5 between April of 2017 and September of 2018 that you did use
6 Snapchat and Kik to entice at least three additional minor
7 females to send images and videos of themselves engaging in
8 sexually explicit conduct.

9 You were lying about your real age. And the other
10 victims, Jane Doe 3 was an 11-year-old female in Wisconsin;
11 Jane Doe 5 was a 12-year-old female in Ohio; and Jane Doe 6, a
12 14-year-old female in Texas.

13 Investigators, in addition to searching your iPhone,
14 also searched a MacBook Air that was recovered from your
15 residence, and that also included numerous images and videos
16 depicting abuse and exploitation of suspected children.

17 You're agreeing that during all the relevant times,
18 you were located in the state of Maryland. The Jane Doe
19 children were located in other states, so these visual
20 depictions were necessarily transported or transmitted in or
21 affected interstate or foreign commerce, as well as the fact
22 that your iPhone was used to transmit these visual depictions,
23 and it was manufactured outside the state of Maryland, so it
24 consisted of materials that have been mailed, shipped,
25 transported in or affecting interstate or foreign commerce.

1 And, finally, you do agree that Snapchat, which you
2 had used, is an interactive computer service or electronic
3 communication service within the meaning of the law.

4 So I didn't read that word for word, obviously,
5 Mr. Siddiqui, but you have read it. Do you agree that that
6 statement of facts is correct and you did what it says in there
7 you did?

8 **THE DEFENDANT:** I do.

9 **THE COURT:** You do agree you're guilty of these three
10 offenses?

11 **THE DEFENDANT:** I do.

12 **THE COURT:** Okay. I'm going to go back to the plea
13 agreement. We would be at Paragraph 6.

14 Based on the facts that we have just been through,
15 there is a likely calculation of the guidelines as to each
16 group, which is Count 1, coming to a total offense level of 40;
17 Count 2, which is also grouped, to an offense level of 44; and
18 Group 3, which is for Jane Doe 3, coming to a total level of
19 38; group 4, the sexual exploitation of Jane Doe 4 comes to a
20 46; Group 4, which is Count 3, the cyberstalking, is an offense
21 level of 20; then there is Group 5 for the sexual exploitation
22 of Jane Doe No. 5, that is a 36; and finally Jane Doe 6 is a
23 total of 36.

24 These various offenses are grouped to an extent that
25 there is a starting point of 46 and then because of additional

1 points comes to a combined offense level of 49.

2 The Government is not opposing a two-level downward
3 adjustment, will make a motion for the third level. Three
4 levels down for your timely acceptance of responsibility as
5 long as you don't violate the plea agreement in any way.

6 But then there is also an agreement that there is a
7 five-level increase because there was a pattern of activity
8 involving prohibited sexual conduct as stated there.

9 Now, under the guidelines, the maximum offense level
10 is a 43. So you all have an agreement that that's what it is,
11 it's an Offense Level 43.

12 Now, the plea agreement letter continues. It says
13 there is no agreement about your criminal history, which can
14 affect the guidelines.

15 In any event, what Paragraph 9 says -- and regardless
16 of the fact that at an offense level of 43, I do believe the
17 guideline level is life.

18 But Paragraph 9 says you have an agreement with the
19 Government that a sentence of no more than 30 years in prison,
20 in the custody of the Bureau of Prisons, is the appropriate
21 disposition of this case.

22 Counsel, I would interpret this as meaning there is a
23 minimum mandatory of 15. The maximum, by way of your
24 agreement, is 30.

25 So you're free to argue for whatever you think is

1 appropriate between 15 and 30 years; is that right?

2 **MR. MYERS:** Yes, Your Honor.

3 **MR. SZEKELY:** That's what we contemplated, Your Honor.

4 **THE COURT:** Okay. You could also argue for whatever
5 you think are reasonable periods of supervised release.

6 Now, I'm not bound by this plea. I don't have to
7 accept that as the upper level. I wouldn't have any choice
8 about the 15 years. That's the mandatory minimum. I wouldn't
9 necessarily have to accept that the 30 years was the most that
10 I was going to impose.

11 But if for some reason I did not believe that that was
12 sufficient or that somewhere between 15 and 30 years was
13 sufficient, either side would have the chance to set aside this
14 agreement, and specifically you would have the chance to
15 withdraw your guilty plea.

16 There is some exception to that, which would be if you
17 violate the plea agreement in some way between now and
18 sentencing, if you committed some new offense or failed to
19 accept personal responsibility, something of that nature, if
20 the Government proved to me that you violated your plea
21 agreement in some way, in that case they would be free of their
22 obligations to you, they could argue for a different sentence,
23 and you would not necessarily be allowed to withdraw your
24 guilty plea. But that's if you violate the plea agreement.

25 Paragraph 13 says that while you are in prison,

1 throughout the entire term, whatever that may be, you agree not
2 to make any contact with or take any steps whatsoever to locate
3 any child identified as Jane Doe in the statement of facts or
4 any immediate family of any Jane Doe.

5 You agree to the entry of a protective order regarding
6 any contact with any Jane Doe, and that will continue and be
7 part of any supervised release conditions that are ordered at
8 the time of sentencing.

9 Paragraph 14 deals with restitution. It says you
10 understand that the children identified as Jane Does 1, 2, and
11 4 are entitled to mandatory restitution.

12 And you're also agreeing to restitution for
13 Jane Does 3, 5, and 6.

14 Are you aware, counsel, whether there is any requested
15 or agreed-upon amount of restitution at this time?

16 **MR. MYERS:** Your Honor, I don't believe the parties
17 have come to an agreement, if any, on restitution. I believe
18 the lead prosecutors are still working with the victims to
19 determine a restitution calculation, if any.

20 **THE COURT:** Okay. Mr. Szekely?

21 **MR. SZEKELY:** That's right, Your Honor. I've spoken
22 with Mr. Izant, and I don't know exactly which number victim it
23 is, but at least I think two of the victims have been in touch
24 with the U.S. Attorney's Office and said they will be
25 requesting restitution and are putting together requests. And

1 that was some months ago, so they may have had further -- so
2 there will be some restitution in the case. We just don't know
3 what yet.

4 **THE COURT:** Okay. All right. Well, that's something,
5 if it's not agreed upon, I would have to determine at
6 sentencing, but Mr. Siddiqui understands there is likely to be
7 some amount of restitution, and he will cooperate with that.

8 There may also be an order of forfeiture, there will
9 be, at least for the Apple iPhone and the Apple MacBook Air,
10 and Mr. Siddiqui will cooperate with that as well.

11 Paragraph 19, Mr. Siddiqui understands that he's going
12 to be required to register as a sex offender under federal law
13 and also under whatever state law is applicable to his
14 residence.

15 I think we've discussed the additional special
16 assessment. It's \$5,000 per count, but that depends on
17 Mr. Siddiqui's financial circumstances.

18 Paragraph 21 deals with appeal rights. First of all,
19 it says that Mr. Siddiqui is giving up his right to appeal his
20 conviction; in other words, the guilty pleas today are the
21 convictions on Counts 1, 2, and 3 of the information, and he's
22 giving up his right to appeal that.

23 Both Mr. Siddiqui and the Government are giving up
24 that right that I previously mentioned to appeal the sentence,
25 except the U.S. Attorney is keeping their right to appeal

1 anything below a statutory minimum. Mr. Siddiqui is keeping
2 his right to appeal anything over the maximum.

3 Paragraph 22 just says Mr. Siddiqui is giving up his
4 rights under the Freedom of Information Act. That just means
5 you won't be asking for more documents about the case.

6 Paragraph 23 says that if a conviction entered under
7 this agreement is set aside, then the U.S. Attorney is released
8 from its obligations and can commence or reinstate a
9 prosecution.

10 Let me see, it says that the defendant waives any
11 defenses based on double jeopardy, preindictment delay, or the
12 Speedy Trial Act as to any time between the signing of this
13 agreement and the reinstatement of any prosecution.

14 Defendant reserves a defense based on the Speedy Trial
15 Act as to any time following the refiling of criminal charges
16 to his prosecution.

17 Okay. So if that were to happen down the road and
18 there were some re-prosecution, Mr. Siddiqui is not giving up
19 any speedy trial rights he might have as to the new
20 prosecution. Is that what that --

21 **MR. MYERS:** I believe that's the parties' intent,
22 Your Honor.

23 **MR. SZEKELY:** That's what the clause is intended to
24 do, Your Honor.

25 **THE COURT:** Okay. All right. Again, Paragraph 24

1 tells you, Mr. Siddiqui, that -- it says the Court is not a
2 party to the agreement. I didn't sign the letter.

3 I do have an independent responsibility, with the help
4 of the presentence report, to decide what I think the facts are
5 that are relevant to sentencing, what the guideline range is,
6 ultimately what a reasonable sentence is, so I don't have to
7 accept the U.S. Attorney's recommendation. I don't have to
8 accept your counsel's recommendation.

9 The only restriction is, however, if I'm not willing
10 to sentence between 15 and 30 years, then you would have the
11 chance to withdraw your guilty plea.

12 But if the recommendation -- I don't have to take a
13 specific recommendation within that range. It's up to me to
14 make that decision within that range.

15 So nobody can make you an absolutely binding promise
16 of what the sentence is going to be at this point.

17 And then it says that that is the complete plea
18 agreement in this case, together with the sealed supplement.

19 Now, we have a policy in this district of having a
20 sealed supplement in every case discussing cooperation, whether
21 or not a defendant is cooperating. So what I'm about to say
22 will remain under seal if a transcript of the proceeding is
23 ordered.

1 Conference at the bench.

2 (It is the policy of this court that every guilty plea and
3 sentencing proceeding include a bench conference concerning
4 whether the defendant is or is not cooperating.)

5 **THE COURT:** All right. That was a summary of the plea
6 agreement.

7 Is there anything that needs to be added, modified,
8 commented on from the Government's point of view?

9 **MR. MYERS:** Not from the Government, Your Honor.

10 **MR. SZEKELY:** Nothing on behalf of Mr. Siddiqui,
11 Your Honor.

12 **THE COURT:** Okay. Mr. Siddiqui, most important, I
13 didn't read that word for word, but as far as you're concerned,
14 was that a correct summary of what you think your agreement
15 with the Government is?

16 **THE DEFENDANT:** Yes, I do.

17 **THE COURT:** Okay. Let me ask it another way: Is
18 there anything else that's been promised to you, any reward,
19 any benefit, anything you expect to get in exchange for your
20 guilty plea besides what's in the letter?

21 **THE DEFENDANT:** No.

22 **THE COURT:** Any questions at all, sir, for me or for
23 your counsel about your guilty plea or the terms of your plea
24 agreement?

25 **THE DEFENDANT:** No, Your Honor.

1 **THE COURT:** All right, then. Based on what you've
2 told me, reviewing the record, and what counsel have said, I'm
3 going to find you're competent to enter these guilty pleas.

4 I believe you understand the charges against you and
5 the penalties you're subject to.

6 I believe you understand the rights you're giving up
7 by pleading guilty, that you're doing this voluntarily, and
8 there is a factual basis for your entry of these pleas. So I'm
9 accepting your pleas of guilty to Counts 1, 2, and 3 of the
10 information.

11 Somewhere in the midst of these papers, I believe I
12 have a regular sentencing order which I will find at some
13 point.

14 But I believe we would look at sentencing in January
15 sometime.

16 All right. With the helpful assistance of Mr. Davis,
17 we have the regular sentencing order. That's going to be
18 January sometime.

19 Would Friday, January 24th, maybe at 9:30, be
20 available?

21 **MR. MYERS:** Your Honor, if there's some issue with
22 that time with the Government, the -- AUSA Izant or Budlow will
23 contact chambers.

24 **MR. SZEKELY:** That is good for me, Your Honor. Thank
25 you.

THE COURT: Okay. All right. Yes, let us know if that doesn't work for Mr. Izant.

MR. SZEKELY: I'm sorry, Your Honor, I was just paying attention to the date and not the time.

What time did you say?

THE COURT: 9:30.

MR. SZEKELY: 9:30.

THE COURT: Okay. I have signed the sentencing order for January 24th at 9:30 in the morning.

Anything else at this point?

MR. MYERS: Not from the Government, Your Honor.

MR. SZEKELY: Nothing, Your Honor. Thank you.

THE COURT: Okay. Thank you.

(Matter concluded at 2:55 p.m.)

I, Douglas J. Zweizig, RDR, CRR, FCRR, do hereby certify that the foregoing is a correct transcript from the stenographic record of proceedings in the above-entitled matter.

/s/

Douglas J. Zweizig, RDR, CRR, FCRR
Registered Diplomate Reporter
Certified Realtime Reporter
Federal Official Court Reporter
DATE: January 5, 2021

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| <p>G</p> <p>general [1] 15/6</p> <p>get [5] 7/7 7/12 7/13 7/15 24/19</p> <p>give [6] 4/1 9/2 9/3 10/1 11/8 11/24</p> <p>giving [12] 8/17 8/19 10/24 11/4 13/7 13/15 21/19 21/22 21/23 22/3 22/18 25/6</p> <p>go [7] 4/4 8/3 8/18 9/8 11/14 11/25 17/12</p> <p>going [10] 4/19 8/4 13/5 14/4 17/12 19/10 21/11 23/16 25/3 25/17</p> <p>good [4] 2/3 2/14 4/11 25/24</p> <p>Government [20]</p> <p>Government's [2] 9/12 24/8</p> <p>grade [1] 14/20</p> <p>grader [1] 14/17</p> <p>grand [2] 11/19 11/20</p> <p>grand jury [2] 11/19 11/20</p> <p>gratification [1] 15/18</p> <p>greater [1] 11/17</p> <p>group [5] 17/16 17/18 17/19 17/20 17/21</p> <p>Group 3 [1] 17/18</p> <p>Group 4 [1] 17/20</p> <p>Group 5 [1] 17/21</p> <p>grouped [2] 17/17 17/24</p> <p>guess [1] 2/17</p> <p>guideline [6] 7/25 8/3 12/18 13/20 18/17 23/5</p> | <p>I</p> <p>I'm [11] 2/7 2/10 8/17 14/4 17/12 19/6 23/9 23/21 25/2 25/8 26/3</p> <p>I've [1] 20/21</p> <p>identified [4] 5/5 5/8 20/3 20/10</p> <p>images [6] 14/15 14/18 15/23 16/1 16/7 16/15</p> <p>immediate [3] 2/16 6/9 20/4</p> <p>immigration [1] 13/18</p> <p>important [2] 8/17 24/12</p> <p>impose [1] 19/10</p> <p>imposed [2] 7/6 11/16</p> <p>include [2] 13/16 24/3</p> <p>included [1] 16/15</p> <p>including [4] 5/13 10/12 12/15 14/13</p> <p>increase [1] 18/7</p> <p>independent [1] 23/3</p> <p>indicated [1] 15/13</p> <p>indictment [4] 11/20 11/25 12/4 13/7</p> <p>information [15]</p> <p>initial [2] 1/12 2/18</p> <p>injure [1] 6/1</p> <p>innocent [1] 9/17</p> <p>insist [1] 11/19</p> <p>instead [1] 11/21</p> <p>intend [1] 6/1</p> <p>intended [1] 22/23</p> <p>intent [1] 22/21</p> <p>intentionally [1] 6/6</p> | <p>J</p> <p>Jane [22]</p> <p>Jane Doe [5] 16/18 17/22 20/3 20/4 20/6</p> <p>Jane Doe 1 [4] 14/23 14/24 15/6 15/9</p> <p>Jane Doe 2 [3] 14/23 15/10 15/12</p> <p>Jane Doe 3 [2] 16/10 17/18</p> <p>Jane Doe 4 [3] 15/20 16/2 17/19</p> <p>Jane Doe 5 [1] 16/11</p> <p>Jane Doe 6 [2] 16/11 17/22</p> <p>Jane Does [1] 20/10</p> <p>Jane Does 3 [1] 20/13</p> <p>January [5] 25/14 25/18 25/19 26/9 26/22</p> <p>January 24th [2] 25/19 26/9</p> <p>Jeff [1] 2/11</p> <p>Jeff Izant [1] 2/11</p> <p>jeopardy [1] 22/11</p> <p>judge [3] 1/11 9/4 9/5</p> <p>jurors [1] 10/20</p> <p>jury [8] 8/24 9/2 9/3 9/5 10/12 10/18 11/19 11/20</p> <p>jury's [1] 10/19</p> <p>just [15]</p> <p>K</p> <p>keep [1] 11/6</p> <p>keeping [2] 21/25 22/1</p> <p>Kik [2] 14/13 16/6</p> <p>kill [1] 6/1</p> <p>kind [4] 4/13 5/13 10/25 16/1</p> <p>kinds [1] 8/3</p> <p>know [5] 3/17 3/20 20/22 21/2 26/1</p> <p>knowingly [1] 4/1</p> <p>L</p> <p>law [6] 8/8 8/9 8/11 17/3 21/12 21/13</p> <p>lawyer [1] 9/12</p> <p>lead [1] 20/18</p> <p>least [6] 5/25 14/9 14/14 16/6 20/23 21/9</p> <p>let [4] 3/20 22/10 24/17 26/1</p> <p>letter [9] 4/8 11/12 11/14 12/7 12/10 13/6 18/12 23/2 24/20</p> <p>level [13] 17/16 17/17 17/18 17/21 18/1 18/2 18/3 18/7 18/9 18/11 18/16 18/17 19/7</p> <p>Level 43 [1] 18/11</p> <p>levels [1] 18/4</p> |

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| <p>L</p> <p>life [2] 6/18 18/17</p> <p>likely [2] 17/15 21/6</p> <p>little [1] 3/23</p> <p>LiveMe [1] 14/13</p> <p>living [1] 15/11</p> <p>locate [1] 20/2</p> <p>located [2] 16/18 16/19</p> <p>Lombard [1] 1/24</p> <p>long [2] 9/11 18/5</p> <p>look [1] 25/14</p> <p>loss [1] 13/18</p> <p>lying [1] 16/9</p> | <p>multiple-page [1] 13/24</p> <p>my [8] 2/16 3/18 4/1 4/6 11/24</p> <p>12/16 12/19 12/20</p> <p>Myers [2] 1/15 2/10</p> | <p>Paragraph 2 [1] 13/11</p> <p>Paragraph 21 [1] 21/18</p> <p>Paragraph 22 [1] 22/3</p> <p>Paragraph 23 [1] 22/6</p> <p>Paragraph 24 [1] 22/25</p> <p>Paragraph 3 [1] 13/13</p> <p>Paragraph 4 [1] 13/15</p> <p>Paragraph 5 [1] 13/19</p> <p>Paragraph 6 [2] 13/22 17/13</p> <p>Paragraph 9 [2] 18/15 18/18</p> <p>part [5] 5/5 7/13 12/16 12/19 20/7</p> <p>parties [1] 20/16</p> <p>parties' [1] 22/21</p> <p>partly [1] 5/25</p> <p>party [1] 23/2</p> <p>past [1] 4/12</p> <p>pattern [1] 18/7</p> <p>pay [1] 7/2</p> <p>paying [1] 26/3</p> <p>penalties [5] 6/14 7/3 7/16 13/13 25/5</p> <p>penalty [1] 11/16</p> <p>people [1] 9/25</p> <p>per [1] 21/16</p> <p>period [1] 5/24</p> <p>periods [1] 19/5</p> <p>perjury [1] 4/2</p> <p>person [2] 6/2 6/8</p> <p>personal [1] 19/19</p> <p>personally [1] 10/6</p> <p>persuade [1] 5/4</p> <p>persuading [1] 14/25</p> <p>phone [1] 15/13</p> <p>photographs [2] 15/1 16/2</p> <p>picture [2] 5/7 5/10</p> <p>Plaintiff [2] 1/3 1/14</p> <p>plea [21]</p> <p>plead [6] 3/8 8/16 8/21 10/23 11/4 11/8</p> <p>pleading [4] 4/21 13/8 13/16 25/7</p> <p>pleas [5] 11/1 21/20 25/3 25/8 25/9</p> <p>please [3] 2/4 2/22 2/24</p> <p>plus [1] 13/24</p> <p>point [8] 3/18 7/15 9/11 17/25 23/16 24/8 25/13 26/10</p> <p>points [1] 18/1</p> <p>policy [2] 23/19 24/2</p> <p>possible [2] 6/13 7/16</p> <p>preindictment [1] 22/11</p> <p>prepared [1] 2/17</p> <p>Present [1] 1/19</p> <p>presented [1] 11/19</p> <p>presentence [1] 23/4</p> <p>presumed [1] 9/17</p> <p>pretrial [1] 11/7</p> <p>pretty [2] 5/2 5/23</p> <p>previously [2] 14/19 21/24</p> <p>prison [9] 6/15 6/16 6/23 7/7 7/12 7/13 11/17 18/19 19/25</p> <p>Prisons [1] 18/20</p> <p>probable [1] 11/20</p> <p>Probation [1] 1/20</p> <p>problems [1] 4/16</p> <p>proceed [3] 2/17 2/21 11/25</p> <p>proceeding [3] 11/21 23/22 24/3</p> <p>proceedings [1] 26/17</p> <p>produce [2] 14/17 15/25</p> <p>produced [2] 5/10 5/13</p> <p>producing [1] 5/6</p> <p>prohibited [1] 18/8</p> |
| <p>M</p> <p>MacBook [2] 16/14 21/9</p> <p>MacBook Air [1] 16/14</p> <p>made [1] 11/5</p> <p>mail [1] 6/2</p> <p>mailed [2] 5/11 16/24</p> <p>make [11] 3/16 8/9 8/12 8/19 9/25 10/2 10/8 18/3 20/2 23/14 23/15</p> <p>mandatory [3] 18/23 19/8 20/11</p> <p>manufactured [1] 16/23</p> <p>MARYLAND [8] 1/1 1/9 1/25 5/4 5/25 14/11 16/18 16/23</p> <p>material [1] 5/14</p> <p>materials [2] 5/11 16/24</p> <p>matter [3] 2/7 26/14 26/18</p> <p>maximum [6] 6/16 6/18 6/23 18/9 18/23 22/2</p> <p>may [6] 8/8 11/16 13/16 20/1 21/1 21/8</p> <p>maybe [2] 3/22 25/19</p> <p>me [9] 3/20 11/13 19/20 22/10 23/13 24/17 24/22 25/2 25/24</p> <p>meaning [2] 17/3 18/22</p> <p>means [3] 5/12 5/15 22/4</p> <p>meantime [1] 15/8</p> <p>medication [1] 4/13</p> <p>member [1] 6/9</p> <p>mental [1] 4/15</p> <p>mention [1] 11/15</p> <p>mentioned [2] 7/5 21/24</p> <p>messages [2] 14/1 15/21</p> <p>mic [1] 3/23</p> <p>microphone [1] 3/24</p> <p>midst [1] 25/11</p> <p>might [7] 7/1 7/7 11/5 11/6 11/8 13/17 22/19</p> <p>minimum [5] 6/15 6/17 18/23 19/8 22/1</p> <p>minor [3] 14/14 15/16 16/6</p> <p>Miranda [1] 15/4</p> <p>Miranda rights [1] 15/4</p> <p>mistake [2] 8/9 8/12</p> <p>modified [1] 24/7</p> <p>MOHAMMAD [4] 1/5 2/8 2/23 3/1</p> <p>months [1] 21/1</p> <p>more [4] 14/8 15/16 18/19 22/5</p> <p>morning [1] 26/9</p> <p>most [2] 19/9 24/12</p> <p>motion [1] 18/3</p> <p>motions [1] 11/7</p> <p>Mr. [28]</p> <p>Mr. Davis [1] 25/16</p> <p>Mr. Izant [2] 20/22 26/2</p> <p>Mr. Siddiqui [22]</p> <p>Mr. Siddiqui's [1] 21/17</p> <p>Mr. Szekely [2] 12/25 20/20</p> <p>much [1] 6/19</p> <p>multiple [1] 13/24</p> | <p>N</p> <p>name [1] 2/24</p> <p>nature [1] 19/19</p> <p>necessarily [3] 16/20 19/9 19/23</p> <p>need [4] 3/15 3/19 8/18 13/2</p> <p>needs [1] 24/7</p> <p>new [3] 7/10 19/18 22/19</p> <p>next [2] 14/22 15/19</p> <p>no [13] 1/4 4/14 4/17 4/20 10/8 10/12 10/25 13/4 17/22 18/13 18/19 24/21 24/25</p> <p>nobody [1] 23/15</p> <p>North [1] 15/11</p> <p>North Carolina [1] 15/11</p> <p>NORTHERN [1] 1/2</p> <p>not [25]</p> <p>Nothing [2] 24/10 26/12</p> <p>now [8] 4/21 9/10 13/3 18/9 18/12 19/6 19/17 23/19</p> <p>nude [1] 16/1</p> <p>number [3] 2/9 8/1 20/22</p> <p>numerous [1] 16/15</p> <p>O</p> <p>oath [1] 3/25</p> <p>obey [1] 7/8</p> <p>obligations [2] 19/22 22/8</p> <p>obviously [1] 17/4</p> <p>October [2] 1/8 15/22</p> <p>October 4th [1] 15/22</p> <p>offender [1] 21/12</p> <p>offense [11] 6/14 7/10 8/1 17/16 17/17 17/20 18/1 18/9 18/11 18/16 19/18</p> <p>offenses [4] 11/17 11/18 17/10 17/24</p> <p>Office [1] 20/24</p> <p>Officer [1] 1/20</p> <p>Official [2] 1/24 26/22</p> <p>Ohio [1] 16/11</p> <p>Okay [20]</p> <p>old [4] 15/11 16/10 16/11 16/12</p> <p>one [6] 9/12 10/8 10/12 10/24 11/14 14/16</p> <p>only [2] 14/4 23/9</p> <p>opposing [1] 18/2</p> <p>order [6] 10/18 20/5 21/8 25/12 25/17 26/8</p> <p>ordered [3] 7/1 20/7 23/23</p> <p>Ordinarily [1] 8/11</p> <p>other [7] 6/4 9/22 11/7 13/18 16/9 16/19 21/20</p> <p>others [1] 15/25</p> <p>out [2] 7/16 11/6</p> <p>outside [1] 16/23</p> <p>over [2] 8/18 22/2</p> <p>overall [1] 14/21</p> <p>P</p> <p>p.m. [2] 2/2 26/14</p> <p>page [2] 12/10 13/24</p> <p>Page 15 [1] 12/10</p> <p>pages [1] 13/23</p> <p>papers [1] 25/11</p> <p>Paragraph [15]</p> <p>Paragraph 13 [1] 19/25</p> <p>Paragraph 14 [1] 20/9</p> <p>Paragraph 19 [1] 21/11</p> | <p>Paragraph 2 [1] 13/11</p> <p>Paragraph 21 [1] 21/18</p> <p>Paragraph 22 [1] 22/3</p> <p>Paragraph 23 [1] 22/6</p> <p>Paragraph 24 [1] 22/25</p> <p>Paragraph 3 [1] 13/13</p> <p>Paragraph 4 [1] 13/15</p> <p>Paragraph 5 [1] 13/19</p> <p>Paragraph 6 [2] 13/22 17/13</p> <p>Paragraph 9 [2] 18/15 18/18</p> <p>part [5] 5/5 7/13 12/16 12/19 20/7</p> <p>parties [1] 20/16</p> <p>parties' [1] 22/21</p> <p>partly [1] 5/25</p> <p>party [1] 23/2</p> <p>past [1] 4/12</p> <p>pattern [1] 18/7</p> <p>pay [1] 7/2</p> <p>paying [1] 26/3</p> <p>penalties [5] 6/14 7/3 7/16 13/13 25/5</p> <p>penalty [1] 11/16</p> <p>people [1] 9/25</p> <p>per [1] 21/16</p> <p>period [1] 5/24</p> <p>periods [1] 19/5</p> <p>perjury [1] 4/2</p> <p>person [2] 6/2 6/8</p> <p>personal [1] 19/19</p> <p>personally [1] 10/6</p> <p>persuade [1] 5/4</p> <p>persuading [1] 14/25</p> <p>phone [1] 15/13</p> <p>photographs [2] 15/1 16/2</p> <p>picture [2] 5/7 5/10</p> <p>Plaintiff [2] 1/3 1/14</p> <p>plea [21]</p> <p>plead [6] 3/8 8/16 8/21 10/23 11/4 11/8</p> <p>pleading [4] 4/21 13/8 13/16 25/7</p> <p>pleas [5] 11/1 21/20 25/3 25/8 25/9</p> <p>please [3] 2/4 2/22 2/24</p> <p>plus [1] 13/24</p> <p>point [8] 3/18 7/15 9/11 17/25 23/16 24/8 25/13 26/10</p> <p>points [1] 18/1</p> <p>policy [2] 23/19 24/2</p> <p>possible [2] 6/13 7/16</p> <p>preindictment [1] 22/11</p> <p>prepared [1] 2/17</p> <p>Present [1] 1/19</p> <p>presented [1] 11/19</p> <p>presentence [1] 23/4</p> <p>presumed [1] 9/17</p> <p>pretrial [1] 11/7</p> <p>pretty [2] 5/2 5/23</p> <p>previously [2] 14/19 21/24</p> <p>prison [9] 6/15 6/16 6/23 7/7 7/12 7/13 11/17 18/19 19/25</p> <p>Prisons [1] 18/20</p> <p>probable [1] 11/20</p> <p>Probation [1] 1/20</p> <p>problems [1] 4/16</p> <p>proceed [3] 2/17 2/21 11/25</p> <p>proceeding [3] 11/21 23/22 24/3</p> <p>proceedings [1] 26/17</p> <p>produce [2] 14/17 15/25</p> <p>produced [2] 5/10 5/13</p> <p>producing [1] 5/6</p> <p>prohibited [1] 18/8</p> |

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